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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/023,070	12/17/2001	John T.P. Moule	GB 000188	3734
24737	7590	03/07/2005	EXAMINER	
PHILIPS INTELLECTUAL PROPERTY & STANDARDS P.O. BOX 3001 BRIARCLIFF MANOR, NY 10510			WU, JINGGE	
			ART UNIT	PAPER NUMBER
			2623	

DATE MAILED: 03/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/023,070	MOULE, JOHN T.P.	
	Examiner	Art Unit	
	Jingge Wu	2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 December 2001.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☐ Claim(s) 1-12 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>5/12/03, 12/27/01</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 11 and 12 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. A data carrier and a data signal are not the statutory subjects listed above.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-12 are rejected under 35 U.S.C. 102(b) as being anticipated by JP 11-355582A to Nishikawa (a reference of PTO 1449, an equivalent English machine-translation provided).

As to claim 1, Nishikawa discloses image encoding apparatus configured to receive data defining respective color values for pixels (fig. 9-10) arranged in rows and columns to make up said image, said apparatus being arranged to apply coding for

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pixels to provide image compression (abstract), wherein said apparatus is configured to encode said image as either sequential rows (horizontal or longitudinal) or sequential columns (lengthwise or vertical) of pixel data, in dependence on which direction requires less storage (fig. 4, abstract, 0013-0014).

As to claim 2, Nishikawa further discloses apparatus as claimed in Claim 1, being configured to apply run-length coding for runs of pixels having the same color value to provide image compression (abstract, fig. 4, 0013-0014).

As to claim 3, Nishikawa further discloses apparatus as claimed in Claim 2, being configured to apply run-length coding in row-wise and column-wise direction and to store the encoded data for whichever orientation requires less overall data (fig. 4, abstract, 0013-0014).

As to claim 4, Nishikawa further discloses apparatus as claimed in Claim 1, being further configured to include in said data an indicator as to the coding direction, row or column, utilized (fig. 7, 0011).

As to claim 5, Nishikawa further discloses apparatus as claimed in Claim 4, wherein said indicator is a one bit flag indicating, in one setting, that row-based coding has been utilized and, in its other setting, that column-based coding has been utilized (fig. 7, 0011, note that the first bit 0 indicates row or horizontal direction, 1 indicates column or vertical direction).

As to claims 6-8, claims 6-8 are the corresponding method claims to claims 1-2, and 4 respectively. The discussion are addressed with regard to claims 1-2, and 4.

Ass to claims 11-12 (as best understanding of the Examiner, the claims may rewrite to computer medium type claims to overcome 101 rejection), however, all elements are addressed with regard to claims 1 and 4.

As to claims 9-10, Nishikawa discloses a decoder apparatus configured, on receiving an image encoded according to claim 6 (fig. 18, 0025), to determine whether row-wise or column-wise coding has been applied, and to apply the appropriate decoding to recreate an image, and to identify a data flag, and the setting thereof to identify the direction of the coding applied (fig. 18-19, 0025-0029).

Contact Information

Any inquiry concerning this communication or earlier communications should be directed to Jingge Wu whose telephone number is (703) 308-9588. He can normally be reached Monday through Thursday from 8:00 am to 5:30 pm. The examiner can be also reached on second alternate Fridays.

Any inquiry of a general nature or relating to the status of this application should be directed to TC customer service whose telephone number is (703) 306-0377.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Amelia Au, can be reached at (703) 308-6604.

The Working Group Fax number is (703) 872-9314.

Jingge Wu

Primary Patent Examiner

A large, stylized handwritten signature in black ink is written over the signature block. A curved line from the signature points towards the fax number text above it.